

appearance as claimant for the property, and having requested that it be returned to the said claimant for the purpose of salvaging the bottles, screw caps, boxes, and fillers and of examining the said products to determine whether or not a portion thereof was fit for consumption, it was ordered by the court that the products be released to said claimant upon payment of the costs of the proceedings and the execution of satisfactory bonds in conformity with section 10 of the act, conditioned in part that they be examined as requested, the bad portion destroyed, and the good portion released upon examination and approval by a representative of this department; and it was further ordered that the said claimant be permitted to salvage the said bottles, screw caps, boxes, and fillers.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9866. Misbranding of Egyptian regulator tea. U. S. * * * v. 11 Packages * * * and 23 Packages * * * of Egyptian Regulator Tea. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 14293. Inv. No. 26254. S. No. E-3188.)

On March 16, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 11 packages, medium size, and 23 packages, small size, more or less, of Egyptian regulator tea, at Washington, D. C., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., on or about February 17, 1921, and transported from the State of Indiana into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained senna, taraxacum, balmony, cassia, coriander, triticum, ginger, sambucus, and licorice.

Misbranding of the article was alleged in the libel for the reason that each of the packages containing the said article were labeled as follows, (white circular) "Egyptian Regulator Tea * * * A Speedy and Positive relief for * * * Dyspepsia, Liver Complaint, Sick Headache, Nervousness. * * * Nature's Own Gift To Dyspeptic, Debilitated Men, to Wornout, Nervous Women, to Mothers of Peevish and Sickly Children, to Girls Just Budding into Womanhood, to Sufferers from Defective Nutrition and Blood Diseases, to Corpulent People, whether Male or Female, Old or Young. * * * Rheumatism, Neuralgia, Sick Headache, pains in all parts of the body, Running Sores, Pimples, Boils, Carbuncles and Skin Diseases. * * * Lung Trouble and Consumption, Premature Old Age, Lack of Youthful Energy, Beauty and Vigor, Sallow Complexion, and Haggard, Careworn Look * * * diabetes, * * * Malaria, * * * killing the Disease Germs, * * * Heart Troubles, Paralysis, Rheumatism, Gout * * * apoplexy," (blue wrapper) "Egyptian Regulator Tea A Remedy For * * * Dyspepsia, Sick Headache, and all Disorders of the Stomach. Its daily use will Purify the Blood, Remove all Blotches from the Face, and Restore the Complexion. Ladies will find this a valuable remedy for all Female Complaints. Also for Liver and Kidney trouble. * * * An Excellent Remedy For * * * Dyspepsia, * * * Rheumatism, Nervousness, Liver Complaints, Sick Headache, Also Corpulency, Etc. * * *," which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the said article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it

possessed the curative and therapeutic qualities claimed for it, whereas, in truth and in fact, it did not.

On June 11, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9867. Adulteration and misbranding of vinegar. U. S. * * * v. 20 Barrels, 18 Barrels, and 3 Barrels * * * of Cider Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14294, 14295, 14296. I. S. No. 5163-t. S. No. E-3196.)

On March 24, 1921, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 20 barrels, 18 barrels, and 3 barrels, more or less, of cider vinegar, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by J. C. Vosburgh, Palatine Bridge, N. Y., on or about October 28, 1920, and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libels for the reason that substances, to wit, apple waste vinegar and distilled vinegar, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in whole or in part for pure cider vinegar, which the article purported to be. Adulteration was alleged for the further reason that the said substances, to wit, apple waste vinegar and distilled vinegar, had been mixed therewith in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the statement stenciled on the barrels containing the said article, regarding the article and the ingredients contained therein, to wit, "New York State Pure Cider Vinegar," was false and misleading in that the said statement represented to the purchaser thereof that the article was pure cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that the article was pure cider vinegar, whereas, in truth and in fact, it was not pure cider vinegar, but was a product composed in part of apple waste vinegar and distilled vinegar. Misbranding was alleged for the further reason that the article was a product composed in part of apple waste vinegar and distilled vinegar, prepared in imitation of pure cider vinegar, and was offered for sale under the distinctive name of another article, to wit, pure cider vinegar, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 12, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9868. Adulteration and misbranding of vinegar. U. S. * * * v. 35 Cases, 21 Cases, and 15 Cases of Vinegar. Default decrees of condemnation, forfeiture, and sale or destruction. (F. & D. Nos. 14410, 14411, 14412. I. S. Nos. 6359-t, 6488-t, 6360-t. S. Nos. E-3106, E-3107, E-3108.)

On February 7, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court